DEWEY & LeBOEUF LLP 1301 Avenue of the Americas New York, NY 10019-6092 Telephone: (212) 259-8000 Facsimile: (212) 259-6333 Seth C. Farber (starber@deweyleboeuf.com)

James P. Smith III (jpsmith@deweyleboeuf.com)
Kelly A. Librera (klibrera@deweyleboeuf.com)

Attorneys for Diana P. Victor, Ariana Victor, Justin Victor Baadarani, Shoshanna Remark Victor and Leila Victor Baadarani

UNITED STATES BANKE SOUTHERN DISTRICT O		- x	
SECURITIES INVESTOR PROTECTION CORPORATION,		:	
	Plaintiff-Appellant,	:	
v. BERNARD L. MADOFF IN SECURITIES LLC,	••	: : : : : : : : : : : : : : : : : : : :	SIPA Liquidation (Substantively Consolidated) Adv. Pro. No. 08-01789  NOTICE OF APPEARANCE AND REQUEST FOR SERVICE OF NOTICES
In re: BERNARD L. MADOFF,	Debtor.	- x : : : :	
		: - x	

PLEASE TAKE NOTICE that Dewey & LeBoeuf LLP hereby appears in the above-captioned case as counsel to Diana P. Victor, Ariana Victor, Justin Victor Baadarani, Shoshanna Remark Victor and Leila Victor Baadarani. Pursuant to Section 1109(b) of Title 11 of the

United States Code (the "Bankruptcy Code") and Rules 2002, 9007, and 9010 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), Dewey & LeBoeuf LLP requests that all notices given or required to be given in this case, and all papers served or required to be served in this case, be given and served upon the following persons at the addresses and numbers set forth below:

Seth C. Farber Kelly A. Librera

1301 Avenue of the Americas New York. NY 10019-6092 Telephone (212) 259-8000 Facsimile: (212) 259-6333

E-mail:

sfarber@deweyleboeuf.com klibrera@deweyleboeuf.com

PLEASE TAKE FURTHER NOTICE that the foregoing request includes, without limitation, any and all notices in respect of any application, motion, petition, pleading, request, complaint, demand, order or any other paper filed in this proceeding whether such notice is formal or informal, written or oral, and whether transmitted by hand delivery, United States Mail, electronic mail, expedited delivery service, telephone, telex, telecopy or otherwise.

This appearance and demand for notice and service of papers is not, and may not be deemed or construed to be, a consent to jurisdiction of the Bankruptcy Court. Further, this appearance and demand for notice and service of papers is not, and may not be deemed or construed to be, a waiver of the substantive or procedural rights of Diana P. Victor, Ariana Victor, Justin Victor Baadarani, Shoshanna Remark Victor and Leila Victor Baadarani including without limitation: (i) the right to have final orders in non-core matters entered only after *de novo* review by a higher court, (ii) the right to trial by jury in any proceeding so triable or in any case,

controversy, or proceeding related hereto, (iii) the right to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal, or (iv) any other rights, claims, actions, defenses, setoffs, or recoupments to which Diana P. Victor, Ariana Victor, Justin Victor Baadarani, Shoshanna Remark Victor and Leila Victor Baadarani, are or may be entitled, in law or in equity, all of which rights, claims, actions, setoffs, and recoupments are expressly reserved.

Dated: December 31, 2009 New York, New York **DEWEY & LEBOEUF LLP** 

Seth C. Farber Kelly A. Librera

1301 Avenue of the Americas New York, NY 10019-6092 Telephone: (212) 259-8000

Facsimile: (212) 259-6333

Attorneys for Diana P. Victor, Ariana Victor, Justin Victor Baadarani, Shoshanna Remark Victor and Leila Victor Baadarani

## **AFFIDAVIT OF SERVICE**

STATE OF NEW YORK )
SS.:
COUNTY OF NEW YORK )

RANDALL L. MORRISON, JR., being duly sworn, deposes and says: I am not a party to the action, am over 18 years of age and am employed by the law fir n of Dewey & LeBoeuf LLP.

On the 31<sup>st</sup> day of December, 2009, I served the foregoing NOTICE OF APPEARANCE AND REQUEST FOR SERVICE OF NOTICES by hand to the attorney listed below at his address designated for service of papers, as follows:

David J. Sheehan, Esq. Baker & Hostetler LLP 45 Rockefeller Plaza New York, NY 10111

RANDALL L. MORRISON, JR.

Lic. No. 1298239

Sworn to before me this 31<sup>st</sup> day of December, 2009

CHRIGHTINA I. BELANGER NOTARY PUBLIC, State of New York

No. 01BE-4845827
Qualified in Suffolk County
Certificate Filed in New York County
Commission Expires Sept. 30,